

To: Federal Communications Committee
From: Peter J. Lucido III
Re: XM / Sirius Merger
Date: 06/13/2007

To Whom It May Concern:

Regarding the proposed merger between Sirius and XM Satellite Radio, I wish to convey my support for this merger. As a former customer of XM and a current customer of Sirius with 3 radios currently, I wish to ask the Federal Communications Committee

- A. How they feel this is anti-competitive at all?
- B. Why Satellite radio is looked at as a utility rather than a luxury?

The reason I feel that this merger should not be affected by rules prohibiting competition or monopoly laws is because those laws are to protect the consumer against price gouging from companies that control a necessity. Satellite Radio is hardly a necessity it is a luxury that if, it is wanted by a consumer, is available. The one argument I keep hearing is that if they merge the consumer will be forced to pay whatever price the New company sets. Last time I checked I was not forced to pay anything for satellite radio I choose to. If they want to raise prices I will just not subscribe and when more people follow suit they will be forced to lower prices again because of supply and demand. This will in every way benefit the consumer. First off if I wanted to have all of the programming offered by satellite radio I would need to buy 2 radios and pay for 2 services anyway. Satellite radio is its own medium now and should not be broken up into 2 companies anyway.

When I turn on my traditional radio in my car I have a choice of let's say 50 different radio stations. I view satellite radio as being one of those radio stations that is broken up into 150 other sub stations. How is Satellite not viewed as having competitors when it is on the same dial as Traditional Radio and HD Radio? There is no good reason why Traditional Radio and HD Radio are not considered competitors to XM – Sirius. Look at Cable vs. Satellite vs. Broadcast all are choices that the consumer has. And none are necessities. The only time the monopoly laws should come into play are when there are necessities involved in turn when people are not given a choice. And example of this would be gas prices. If one company controlled all of the Gas in the world they could set the price at whatever they want and people would be forced to pay it if they wanted to drive. However if XM-Sirius Set the price at whatever they wanted after they merge I have the choice to cancel my subscription and get on with my life.

I feel this merger is in the BEST interest of the consumer and the companies involved. Also for the economy, if this merger is not allowed those people

that work for Sirius and XM will be out of a job in the near future because the needless spending between the 2 companies must stop and they should get down to the business of making money and stimulating this declining economy.

Thank you for your time
Peter J. Lucido III